

SENATE BILL REPORT

SB 6714

As Reported By Senate Committee On:
Judiciary, February 05, 2008

Title: An act relating to the implementation of the national crime prevention and privacy compact.

Brief Description: Concerning the national crime prevention and privacy compact.

Sponsors: Senators Kohl-Welles and Delvin; by request of Washington State Patrol.

Brief History:

Committee Activity: Judiciary: 2/5/08 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin, Ranking Minority Member; Carrell, Hargrove, McDermott, Roach and Weinstein.

Staff: Lidia Mori (786-7755)

Background: The National Crime Prevention and Privacy Compact Act (Compact) was signed into law in 1998. It establishes an infrastructure by which states can exchange criminal records for noncriminal justice purposes, according to the laws of the requesting state. It also allows for the provision of reciprocity among the states to share records without charging each other for the information. To date, 27 states have ratified the Compact.

The Compact includes a finding by Congress that an interstate and Federal-State compact is necessary to facilitate authorized interstate criminal history record exchanges for noncriminal justice purposes on a uniform basis, while permitting each state to effectuate its own dissemination policy within its own borders. The Compact will allow Federal and State records to be provided to governmental and nongovernmental agencies that use such records in accordance with Federal and State law, while enhancing the accuracy of the records and safeguarding the information contained in them from unauthorized disclosure or use.

The Compact defines "noncriminal justice purposes" as uses of criminal history records for purposes authorized by Federal or State law other than purposes relating to criminal justice activities, including employment suitability, licensing determinations, immigration and naturalization matters, and national security clearances.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: The Washington State Patrol (WSP) criminal records division administrator or the administrator's designee is named the state's compact officer. The state's compact officer is directed to execute the compact on behalf of the state and administer the compact within the state. The state patrol is authorized to adopt rules and establish procedures for the cooperative exchange of criminal history records between the state and federal government for noncriminal justice use. The WSP identification and criminal history section is delineated as the repository of criminal history records for purposes of the compact.

The obligations and responsibilities of the WSP as controlled by other provisions in law are not affected or abridged by the compact and the manner in which the public has access to criminal history records is not altered or amended.

Appropriation: None.

Fiscal Note: Requested on February 2, 2008.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on July 1, 2008.

Staff Summary of Public Testimony: PRO: This bill is being brought forward at the request of the Washington State Patrol. Employment decisions need to be made with as complete information as possible. The Compact creates ways to exchange information that is essentially background checks. The state repository will have better quality records and will receive more requests for records because of this. Other states will receive more complete criminal history records from our state because of this bill.

Persons Testifying: PRO: Sen. Kohl-Welles, prime sponsor; Patty Jensen, Wa State Patrol